

Application No. 09/987,885

Responsive to the Office Action mailed September 20, 2004, and the Advisory Action of December 6, 2004

REMARKS

Applicants would like to thank Examiners Venkat and Dixon for the helpful and courteous personal and telephone interviews held in this case. As Examiner Venkat will note, this amendment is presented as one supplemental to those filed earlier in this case but not yet entered. It is believed that this format is the easiest to understand and follow, as Examiner Venkat has already reviewed the last (unentered) amendments filed in this case. Thus, upon entry of the previously unentered amendments, and entry of this amendment, the Examiner will note that Claims 84 and 101-104 have been cancelled without prejudice. While Applicants disagree that these claims are not patentable, they have been cancelled in favor of the early allowance of this case.

With regard to dependent Claims 96 and 100, describing a resin, Applicants have amended these claims to refer to a "silicone resin" as agreed at the interview. In this regard Applicants appreciate the Examiner's kind suggestion, and have now placed these claims in condition for allowance.¹ That amendment in no way narrows the claims because those claims previously recited: "wherein said crosslinked silicone is a resin." Hence, since the resin was clearly recited to be a silicone resin, Applicants have merely made even more explicit what was previously explicit.

Finally, Applicants attach a new Supplemental Reissue Declaration. This Declaration has been drafted in consultation with Examiners Venkat and Dixon, and in view of the advice in the MPEP regarding Supplemental Declarations. Note especially paragraphs 9-11 and 13 that set out at least one "error" sufficient to support a Reissue, and include the

¹ Submitted herein in an information disclosure statement are US patent 4,966,933 and a Cosmetics and Toiletries article further describing the silicon resins recited in claims 96 and 100.

Application No. 09/987,885

Responsive to the Office Action mailed September 20, 2004, and the Advisory Action of December 6, 2004

statement suggested in MPEP 1414.01 ("Every error in the patent which was corrected in the present reissue application, and is not covered by a prior Declaration submitted in this application, arose without any deceptive intention on the part of the applicant."). Because the inventors were located in several places, three copies of the Declaration had to be signed, and all are filed herewith.

Accordingly, and in view of the interviews and the above amendments and remarks, the present application is now in condition for allowance. Prompt and favorable reconsideration of the Advisory Action and allowance of the pending claims are earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Richard L. Treanor
Attorney of Record
Registration No. 36,379

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413-2220
(OSMMN 06/04)